

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

AMON W. PERSHALL, JR.,)	
)	
Petitioner,)	
)	
vs.)	Case No. CIV-07-588-M
)	
PATTI TRAIL, ADMINISTRATOR,)	
)	
Respondent.)	


ORDER

On July 10, 2007, United States Magistrate Judge Gary M. Purcell issued a Report and Recommendation in this action brought pursuant to 28 U.S.C. § 2254, seeking a writ of habeas corpus. The Magistrate Judge recommended that respondent's motion to dismiss be granted and the petition for a writ of habeas corpus be dismissed as time-barred. The parties were advised of their right to object to the Report and Recommendation by July 30, 2007. On July 25, 2007, petitioner filed his objection.

Upon de novo review, the Court:

- (1) ADOPTS the Report and Recommendation issued by the Magistrate Judge on July 10, 2007;
- (2) GRANTS respondent's motion to dismiss [docket no. 13]; and
- (3) DISMISSES the Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 as time-barred.

IT IS SO ORDERED this 1st day of August, 2007.


VICKI MILES-LAGRANGE
UNITED STATES DISTRICT JUDGE